IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

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WRIT PETITION NO : 3885 of 1996

Between:

S.Ramamohan Rao, S/o.S. Govinda Rao,
Junior Lecturer, R/o.Ganapavaram,

West Godavari District.

..... PETITIONER

AND

1. State of A.P., rep. by its Secretary,
   Education Department, Secretariat, Hyderabad.
2. The Director of Intermediate Education,
   A.P.,Hyderabad.
3. The Principal, S.C.B.R.Junior College,
   Ganapavaram, West Godavari District.
4. The A.P.College Service Commission, rep. by its Secretary,
   Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ one more particularly in the nature of a Mandamus or any other appropriate Writ, Direction or order directing the respondents to regularize the petitioner's service as Junior Lecturer in History in SCBR Junior College, Ganapavaram, W.G.District from the date of his joining into service i.e., 30/09/1985 with all consequential benefits as to seniority and pay as per the scales applicable from time to time.

Counsel for the Petitioner: MR.B.UDAYA BHASKAR

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following:

O R D E R :

This writ petition is filed seeking a writ of Mandamus directing the respondents to regularize the services of the petitioner as Junior Lecturer in History in S.C.B.R. Junior College, at Ganapavaram, West Godavari District from the date of his joining into service i.e., on 30.09.1985 along with all consequential benefits as to seniority, pay etc.

2. It is the case of the petitioner that on 30.09.1985 he joined as a Part Time Junior Lecturer in S.C.B.R. College, at Ganapavaram, West Godavari District. Earlier, he approached this Court with a writ petition seeking regularization of his services. Subsequently, the matter was taken in appeal and the same was disposed of on 06.11.1993 by a Division Bench of this Court, directing the petitioners therein to make a representation to the Government within two weeks and on such representation, the Government shall consider and dispose off the same within eight weeks thereafter. In pursuance of the above direction, on 29.11.1993 the petitioner made a representation to the Secretary, Education Department, Government of Andhra Pradesh, Hyderabad under a copy to the Secretary, A.P. College Service Commission, Hyderabad, praying for regularization of his services as Junior Lecturer in History in S.C.B.R. Junior College, at Ganapavaram, West Godavari District and the same is still pending and not yet been disposed of. However, consequent on several agitations and representations by various Part Time Lecturers and also in obedience to the

various judicial pronouncements, including the Supreme Court of India, the Government issued G.O.Ms.No.362, Education (CE.III-1) Department, dated 07.10.1994, ordering payment of salaries to the Part Time Lecturers and Junior Lecturers working in Private Aided Degree Oriental and Junior Colleges calculated on the minimum scale of pay plus allowances instead of hourly basis. Further, the Government also issued a Memo.No.71/CBIII-1/94-8, dated 06.01.1995, keeping the orders issued in G.O.Ms.No.362 dated 07.10.1994 in abeyance until further orders. However, the G.O. was given effect to and the petitioner was getting the regular salary as fixed therein.

3. No counter affidavit has been filed denying the allegations made by the petitioner.

4. The only grievance of the petitioner is that his representation dated 29.11.1993 made to the 1st respondent is still pending and it is not considered by the Authorities for regularizing his services. In view of the above, without expressing any opinion on merits of the case, the respondents are directed to consider and dispose of the representation purported to have been made by the petitioner on 29.11.1993, if not already disposed of, within a period of three weeks from the date of receipt of a copy of this Order.

5. With the said observation, the writ petition is disposed of. No costs.

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C.V.RAMULU, J.

Dated: 11th February, 2005.

Cs

To

1. The Secretary, State of A.P., Education Department,

Secretariat, Hyderabad.
2. The Director of Intermediate Education, A.P., Hyderabad.
3. The Principal, S.C.B.R.Junior College, Ganapavaram,

West Godavari District.
4. The Secretary, A.P.College Service Commission, Hyderabad.

5. Two C.Cs. to the Government Pleader for Higher Education,

High Court Buildings, Hyderabad. (O.U.T.)

6. Two C.D. copies.